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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

In re:

TIMOTHY RAY WRIGHT,

Debtor and
Debtor In Possession.

Chapter 11 Proceedings

Case No. 2:09-bk-32244-SSC

**SUPPLEMENTAL UNSWORN
DECLARATION PURSUANT TO
RULE 2014(a) UNDER PENALTY
OF PERJURY BY FORMER
ATTORNEYS FOR DEBTOR IN
POSSESSION**

The undersigned Howard C. Meyers (hereafter sometimes "Declarant")
does hereby certify under penalty of perjury and pursuant to Rule 2014(a) of the
Bankruptcy Rules of Procedure:

1. In or about early December, 2010, your Declarant discovered that
Burch & Cracchiolo, P.A. ("the Firm") had been representing Wells Fargo Bank,
NA ("Bank") in work out negotiations, a deed of trust sale and state court
receivership action involving a commercial borrower Palanca Properties, LLC, an
Arizona limited liability ("Palanca"), which is a single asset real estate entity which
owns a commercial medical building located at 333 W. Thomas Rd., Phoenix,
Arizona. The loan in question is documented as a commercial loan and involved

1 both the creation of real property and personal property security interests with
2 recordings at not only the Office of the Maricopa County, Arizona, Recorder but
3 also at the Office of the Arizona Secretary of State and perfection of the interest
4 in the rents was asserted by consequence of not just recording but by affirmative
5 exercise of the appointment and qualification of a receiver. Upon investigation,
6 the Firm did not take any positions on behalf of the Bank which were inconsistent
7 with the legal positions asserted on behalf of the Debtor In Possession in this
8 chapter 11 case.

9 2. Your Declarant became aware of this representation just prior to the
10 time when Palanca filed a chapter 11 case in this Court using Jennings, Strouss
11 & Salmon as their counsel on December 7, 2010, initiating Case No. 2:10-bk-
12 39044-RJH. Your Declarant became aware of this representation when Amy
13 Howland, the attorney handling the Palanca matter for the Firm, consulted your
14 Declarant internally on the matter because she had been apprised that Palanca
15 intended to file a chapter 11 case.

16 3. The Bank is a creditor of the above-named estate.

17 4. After discovering this representation of the Bank and investigating
18 the matter so as to be fully advised, your Declarant advised the Debtor In
19 Possession orally and in writing of the Firm's representation of the Bank in the
20 Palanca matter.

21 5. Upon investigation, other than this one matter involving Palanca and
22 a few small isolated representations or consultations which had been terminated
23 prior to Palanca, our firm has no substantial relationship with the Bank other than
24 certain deposit relationships maintained by the Firm with the Bank.

25 6. Upon investigation, the Firm's representation of the Bank in the
26 Palanca matter did not involve a subject which had the possibility of an exchange

1 of any confidential information related to the instant chapter 11 case.

2 7. Upon investigation, the Firm's contact with reference to the Palanaca
3 matter was with persons at a commercial loan unit of the Bank in Mesa, Arizona,
4 which persons had no involvement with nor any authority over the claims of the
5 Bank present in chapter 11 case, all of which appear to be being administered
6 from outside the State of Arizona, save for the appearance in limited instances of
7 local counsel for the Bank.

8 8. Upon investigation, there was a lack of any relatedness between the
9 Firm's representation of the Bank in the Palanca matter and the Firm's service to
10 the Debtor In Possession in chapter 11 case.

11 9. Upon consultation with the Debtor In Possession, it was determined
12 that the Debtor In Possession was uncomfortable even considering consenting to
13 the Firm's representation of the Bank and the Firm acquiesced to the Debtor In
14 Possession by declining to represent the Bank in the Palanca chapter 11 case.

15 10. Accordingly, the Firm did not provide any further representation to the
16 Bank in connection with the Palanca chapter 11 case and the Bank was advised
17 to obtain other counsel in connection with the Palanca chapter 11 case which it
18 did.

19 11. A review of the Palanca chapter 11 case docket reflects that Jaburg
20 & Wilk, P.C. is representing the Bank in the Palanca chapter 11 case.

21 DATED this 25th day of February, 2011.

22 BURCH & CRACCHIOLO, P.A.

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24 By: /s/ Howard C. Meyers, SBA#005007
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1 Original Filed Electronically
2 with the United States Bankruptcy
3 Court for the District of Arizona
4 this 25th day of February, 2011

5 Copy of the foregoing
6 mailed this 25th day of
7 February 2011, to:

8 U.S. Trustee's Office
9 230 N. First Ave., Suite 204
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19 /s/ Becky Chesley
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